



PLANNING COMMISSION REGULAR MEETING
WEDNESDAY, AUGUST 12, 2020
6:00 PM

153A Morton Lane, Appomattox, VA 24522
www.AppomattoxCountyVA.gov

Call to Order

Determination of Quorum

Approval of Minutes

1. [20-1661](#) **Minutes_July 8, 2020 Meeting**
The minutes for the July 8, 2020 meeting are available for your review and consideration.
Documents: [July 8 minutes.pdf](#)

Old Business

2. [20-1663](#) **Work Session-Zoning Ordinance Amendment-Short-Term Rental**
The Planning Commission held a public hearing on an amendment to the Zoning Ordinance concerning the land use category "Short-Term Rental". The Planning Commission tabled the matter. Staff will have additional information as requested by the Planning Commission.
Documents: [Summary STR PC08122020.pdf](#)

New Business

3. [20-1662](#) **Work Session-Zoning Ordinance Amendment-Abattoir**
A citizen request for an amendment to the Zoning Ordinance has been received. Mr. Robbie Lewis has requested the addition of a land use category "abattoir". A proposed definition has been provided for your consideration. The Planning Commission will discuss this matter and determine how to proceed.
Documents: [Summary PC08122020.pdf](#)

Adjournment

MINUTES

APPOMATTOX COUNTY PLANNING COMMISSION MEETING BOARD OF SUPERVISORS MEETING ROOM APPOMATTOX, VIRGINIA

Wednesday, July 8, 2020

Members Present: (Quorum)

George Almond
Earl Dickerson
Al Sears
Annie Trent
Steve Conner
Sarah Blackwell

Members Absent:

Joshua Mills

Also Present:

Johnnie Roark, Director of Community Development

Mr. Steve Conner, Vice-Chairman called the meeting to order at 6:00 p.m.

Mr. Conner determined there was a quorum and circulated the attendance sheet.

Review/Approval of Minutes

Mr. Earl Dickerson motioned, with a second by Ms. Sarah Blackwell, to approve the June 10, 2020 minutes. The motion carried unanimously.

New Business

Public Hearing

RZ20-0375- Clayton C. Bryant Jr. (property owner), has requested to rezone property from M-1, Industrial Zoning District to B-1, General Commercial Zoning District. The property is shown as Lot 7, located in the Concord Business Park on Stage Road, Concord, Virginia. The parcel totals 2.78 acres and is identified as Tax Map Identification Number 60 (8) 7. The 2016 Comprehensive Plan designates the property as part of a Neighborhood Commercial area.

Mr. Conner opened the public hearing and asked if anyone wished to speak on this petition.

Mr. Johnnie Roark, Community Development Director gave a brief overview of the project.

Mr. Phil Verdow, representing the petitioner, spoke in favor of the petition. Mr. Verdow stated that they only recently realized that property had been rezoned to M-1 several years ago when another person owned the parcel. They want to return the parcel to its original zoning of B-1 as it was zoned back when the Concord Business Park was first developed. He stated that they currently have no definitive plans other than to put the parcel up for sale.

Mr. Conner asked if anyone else wished to speak. No one spoke.

Mr. Conner closed the public hearing.

Discussion of RZ200375-Clayton C. Bryant Jr.

Mr. Conner asked if any Planning Commission members had any comments, questions or concerns.

Hearing none, Mr. Dickerson motioned with a second by Ms. Annie Trent, that for reason of public necessity,

convenience, general welfare, and good zoning practice, the Appomattox County Planning Commission moves to recommend approval of the REZONING petition of Clayton C. Bryant, Jr. (property owner) from M-1, Industrial Zoning District to B-1, General Commercial Zoning District.

The motion passed unanimously.

Public Hearing

Summary of Zoning Ordinance Text Amendments

Article I, Administration, §19.6-12-Definitions, add a definition for “Short-Term Rental”.

Article VII, District Regulations, §19.6-67 A-1, Agricultural Zoning District, §19.6-68, R-1, Low-Density Residential, §19.6-69, R-2, Medium-Density Residential, §19.6-70, R-3, High-Density Residential, and §19.6-71, Village Center add “Short-Term Rental” as a Conditional Use.

Mr. Roark provided a brief overview of the proposed text amendments. Mr. Roark read the proposed definition of “short-term rental” as “The provision of a room(s) or space(s) that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than thirty (30) days, in exchange for a charge for the occupancy.” Mr. Roark noted that this is the definition found in the Code of Virginia. Mr. Roark stated that the discussion stemmed from a zoning violation complaint that had been received and that the Planning Commission discussed the matter at a previous work session before deciding to seek public comment on the proposed change.

Mr. Conner asked if anyone wished to speak on this matter.

Mr. Paul Raymond, Clark Road, Appomattox, Virginia, spoke in opposition to the text amendments.

Ms. Karen Angulo, Denali Lane, Concord, Virginia, spoke in opposition to the text amendments.

Mr. Almond arrived at approximately 6:15 p.m.

Mr. Kenneth Wolfskill, Poorhouse Creek Road, Appomattox, Virginia spoke in opposition to the text amendment.

Ms. Robin Wolfskill, Poorhouse Creek Road, Appomattox, Virginia spoke in opposition to the text amendment.

Mr. Christian Raymond, Clark Road, Appomattox, Virginia spoke in opposition to the text amendment.

Mr. Donald Wilkes, Church Street, Appomattox, Virginia spoke in opposition to the text amendment.

Mr. Conner asked if anyone else wished to speak. Hearing none, Mr. Conner closed the public hearing.

Discussion of Zoning Ordinance Text Amendments-Short-Term Rentals

Mr. Conner asked if any Planning Commission members had any comments, questions, or concerns.

The Planning Commission members had a brief discussion regarding the comments they heard from the public. The Planning Commission was interested in how this issue is handled in other localities and asked staff to provide additional information.

Mr. Dickerson motioned, with a second by Mr. Almond, to table the matter in order for staff to gather further information and report back at a future meeting.

Adjournment

Having no further business, Mr. Conner asked for a motion to adjourn.

Mr. Dickerson made a motion, with Ms. Trent seconding, that the meeting be adjourned. The motion carried unanimously. The meeting adjourned at 6:50 p.m.

Approved As Written,

George Almond, Chairman
Appomattox County Planning Commission

Attest:

Johnnie Roark, Clerk
Director of Community Development



**APPOMATTOX COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT**

P.O. Box 863, Appomattox, VA 24522 Phone: (434) 352-2637
www.AppomattoxCountyVA.gov

**SUMMARY OF PROPOSED AMENDMENT
TO ZONING ORDINANCE**

Date: August 12, 2020

Section: ADD to Section 19.6-12 Definition
ADD to Section 19.6-67 Conditional Use in A-1, Agricultural
ADD to Section 19.6-68 Conditional Use in R-1, Low-Density Residential
ADD to Section 19.6-69 Conditional Use in R-2, Medium-Density Residential
ADD to Section 19.6-70 Conditional Use in R-3, High-Density Residential
ADD to Section 19.6-71, Conditional Use in V-1, Village Center

Origin of Request:

Staff

Clarification of land use that had previously been considered under another land use category. Staff received a complaint and upon review with the complainant, the current interpretation created confusion and possible conflict with enforcement. Staff requested clarification from the Planning Commission. Planning Commission determined that a new land use category with a new definition specific to short-term rental of property would be appropriate. The amendment is intended to address short-term rental of property similar to *Airbnb*.

Public Hearings:

Planning Commission- July 8, 2020 (Planning Commission tabled the matter in order to obtain additional information.)

Board of Supervisors-TBD

Additional Information:

Staff will provide additional information pertaining to adjacent localities as requested.

Proposed Amendment(s):

New Definition:

Short-Term Rental-The provision of a room(s) or space(s) that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than thirty (30) days, in exchange for a charge for the occupancy.

The land use category "Short-Term Rental" will be added as a conditional use in A-1, R-1, R-2, R-3, and V-1 zoning districts.



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**SUMMARY OF PROPOSED AMENDMENT
TO ZONING ORDINANCE**

Date: August 12, 2020

Section: ADD to Section 19.6-12 Definition
ADD to Section 19.6-67 in A-1, Agricultural as either a Permitted Use or Conditional Use

Origin of Request:

Citizen Request

Mr. Robby Lewis has requested that the Planning Commission and Board of Supervisors consider amending the Zoning Ordinance to include the land use category "Abattoir or Slaughterhouse". Mr. Lewis owns property in an agricultural zone and is considering establishing such a use.

The land use "abattoir" or "slaughterhouse" is not defined by the Zoning Ordinance.

The land use "abattoir" or "slaughterhouse" is not listed in any zoning district as either a Permitted Use or a Conditional Use.

The land use "abattoir" is mentioned only once in the Zoning Ordinance in the IP, Planned Industrial Zoning District. It is listed as a prohibited use in that zoning district.

Public Hearings:

Planning Commission- TBD

Board of Supervisors-TBD

Proposed Amendment(s):

New Definition:

Abattoir-A building or structure where livestock is slaughtered and prepared for distribution to butcher shops or retail sales establishments such as grocery stores. A slaughterhouse is designed to accommodate the confinement and slaughtering of live animals and may include packing, treating, storage, or sale of the product on the premises.

The Planning Commission should consider whether to add the land use category "Abattoir" in the A-1 zoning district as either a Permitted Use or a Conditional Use. The Planning Commission should consider whether to add the land use category in other zoning districts as well.

If the Planning Commission desires to amend the Zoning Ordinance, then a public hearing will need to be held to receive comments. Following the public hearing, the Planning Commission may make a recommendation regarding the text amendment.